

**STATE OF NEW MEXICO
COUNTY OF LEA
FIFTH JUDICIAL DISTRICT COURT**

FILED IN MY OFFICE
DISTRICT COURT CLERK
3/30/2017 10:28:26 AM
NELDA CUELLAR
Sandy Long

PEDRO JARAMILLO
Plaintiff,

D-506-CV-2017-00419

vs.

No

**SCOTT RAWLIN, WRIGHT'S AMUSEMENTS
and HAAS & WILKERSON INSURANCE CO.**
Defendants.

Case assigned to Shoobridge, William G. W.

COMPLAINT FOR PERSONAL INJURY
AUTOMOBILE ACCIDENT

COMES NOW, the Plaintiff PEDRO JARAMILLO and for his cause of action states:

1. He is now, and at all times material hereto, has been a resident of Lea County, New Mexico.
2. On information and belief it is alleged that Defendant Scott Rawlin is now, and at all times material hereto has been a resident of the State of Colorado who operated a motor vehicle in the State of New Mexico thereby subjecting himself to the jurisdiction of the State of New Mexico
3. On information and belief it is alleged Defendant Wright's Amusements is a business entity which regularly conducts business in the State of New Mexico and which has its principal place of business in Elbert, Colorado.
4. On information and belief it is alleged that the Defendant, Haas & Wilkerson Insurance Co., is a formal business entity licensed to and actually conducting business within the State of New Mexico which has issued a policy of liability insurance to Defendant pursuant to the laws of the State of New Mexico.
5. The automobile accident giving rise to the claims set out herein occurred in the State

EXHIBIT A

of New Mexico.

6. On or about April 8, 2014, Plaintiff was operating his vehicle in safe and prudent manner when Defendant Scott Rawlin drove his vehicle in such a manner as to cause it to collide with Plaintiff's vehicle.
7. The vehicle was a 2008 white International truck owned and maintained by its owner Wright's Amusements.
8. The vehicle's turn signal was inoperable which contributed to or in the alternative caused the collision.
9. Defendant Wright's Amusements had an ongoing duty to insure its vehicle was in correct operating condition before allowing it to be driven on the roadways of New Mexico.
10. Defendant Wright's Amusements had an ongoing duty to insure the driver to whom it entrusted the vehicle, Scott Rawlin, was properly trained and supervised to insure that the vehicle was in proper operating condition and that he was capable and able to operate the vehicle in a safe and prudent fashion.
11. Defendant Scott Rawlin had a duty to operate the vehicle in a safe and prudent manner, maintaining a proper look out for other traffic, to avoid a collision.
12. Defendant Scott Rawlin had an ongoing duty to inspect the vehicle he was operating to insure the equipment was operating correctly.
13. The collision between the Plaintiff's vehicle and Defendant's vehicle was as a direct and proximate result of the negligence and failure to exercise ordinary care in the operation of the vehicle driven by Defendant Scott Rawlin and owned and maintained by Defendant Wright's Amusements.

14. As a direct and proximate result of these Defendants, each of them, Plaintiff suffered damages including, inter alia:
- A. Reasonable necessary medical expenses, both in the past and reasonably anticipated to be incurred in the future;
 - B. Reasonable necessary non-medical expenses both in the past and reasonably certain to be incurred in the future;
 - C. Loss of earnings and of earning capacity;
 - D. Permanent as well as temporary incapacity to the physical functioning of her person;
 - F. Permanent as well as temporary pain and suffering;
 - G. Other incidental damages.

WHEREFORE, Plaintiff prays that Judgment be entered in his behalf and against Defendants in an amount sufficient to adequately and completely compensate him for the damages and injuries he has suffered, for his cost incurred herein, for interest as the Court deems proper, and for such other and further relief as the Court deems just.

Respectfully Submitted:

THE SAWYERS LAW GROUP, LLC

/s/ James W. Klipstine, Jr.
James W. Klipstine, Jr.
Attorney for Plaintiff
1327 E. Bender Blvd.
Hobbs, NM 88240
(575) 393-1300 Telephone
(575) 393-1869 Facsimile

SUMMONS	
District Court: <u>Fifth Judicial</u> <u>Lea</u> County, New Mexico Court Address: 100 N. Main 6-C Lovington, New Mexico 88260 Court Telephone No.: (575) 396-8571	Case Number: D-506-CV-2017-00419 Judge: Shoobridge, William G. W.
Plaintiff(s): Pedro Jarmillo v. Defendant(s): Scott Rawlin, Wright's Amusements and HAAS & Wilkerson Insurance Company	Defendant: HAAS & Wilkerson Insurance Company Name: HAAS & Wilkerson Insurance Company Address: 4300 Shawnee Mission Pkwy., Fairway, KS 66205

TO THE ABOVE NAMED DEFENDANT(S): Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at www.nmbar.org; 1-800-876-6657; or 1-505-797-6066.

Dated at Lovington, New Mexico, this 30th day of March, 2017.

Nelda Cuellar
CLERK OF COURT

By: 

Deputy



/s/ James W. Klipstine, Jr.

Signature of Attorney for Plaintiff

Name: James W. Klipstine, Jr.

Address: 1601 N. Turner, Ste. 400, Hobbs,
New Mexico 88240

Telephone No.: (575) 393-1300

Fax No.: (575) 393-1869

Email Address: mahlaw@klipsawlaw.com

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 OF THE NEW MEXICO
RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

ORIGINAL: To Be Returned to Clerk of District Court for Filing.

RETURN¹

STATE OF NEW MEXICO)
)ss
COUNTY OF _____)

I, being duly sworn, on oath, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in _____ County on the _____ day of _____, _____, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

(check one box and fill in appropriate blanks)

☐ to the defendant _____ (*used when defendant accepts a copy of summons and complaint or refuses to accept the summons and complaint*)

☐ to the defendant by [mail] [courier service] as provided by Rule 1-004 NMRA (*used when service is by mail or commercial courier service*).

After attempting to serve the summons and complaint on the defendant by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

☐ to _____, a person over fifteen (15) years of age and residing at the usual place of abode of defendant _____, (*used when the defendant is not presently at place of abode*) and by mailing by first class mail to the defendant at _____ (*insert defendant's last known mailing address*) a copy of the summons and complaint.

☐ to _____, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at _____ (*insert defendant's business address*) and by mailing the summons and complaint by first class mail to the defendant at _____ (*insert defendant's last known mailing address*).

☐ to _____, an agent authorized to receive service of process for defendant _____.

☐ to _____, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of defendant _____ (*used when defendant is a minor or an incompetent person*).

☐ to _____ (*name of person*), _____, (*title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of*

trustees, the State of New Mexico or any political subdivision).

Fees: _____

Signature of person making service

Title (*if any*)

Subscribed and sworn to before me this _____ day of _____, _____²

Judge, notary or other officer
authorized to administer oaths

Official title

USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.

2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order 05-8300-01, effective March 1, 2005; by Supreme Court Order 07-8300-16, effective August 1, 2007; by Supreme Court Order No. 12-8300-026, effective for all cases filed or pending on or after January 7, 2013.]

SUMMONS	
District Court: <u>Fifth Judicial</u> <u>Lea</u> County, New Mexico Court Address: 100 N. Main 6-C Lovington, New Mexico 88260 Court Telephone No.: (575) 396-8571	Case Number: <p style="text-align: center;">D-506-CV-2017-00419</p> Judge: <p style="text-align: center;">Shoobridge, William G. W.</p>
Plaintiff(s): Pedro Jarmillo v. Defendant(s): Scott Rawlin, Wright's Amusements and HAAS & Wilkerson Insurance Company	Defendant: Wright's Amusements Name: Wright's Amusements Address: 13002 County Road 102, Black Forest, CO 80106

TO THE ABOVE NAMED DEFENDANT(S): Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
 2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
 3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
 4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
 5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
 6. If you need an interpreter, you must ask for one in writing.
 7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at www.nmbar.org; 1-800-876-6657; or 1-505-797-6066.
- Dated at Lovington, New Mexico, this 30th day of March, 2017.

Nelda Cuellar
CLERK OF COURT

By: 

Deputy



/s/ James W. Klipstine, Jr.

Signature of Attorney for Plaintiff

Name: James W. Klipstine, Jr.

Address: 1601 N. Turner, Ste. 400, Hobbs,
New Mexico 88240

Telephone No.: (575) 393-1300

Fax No.: (575) 393-1869

Email Address: mahlaw@klipsawlaw.com

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 OF THE NEW MEXICO
RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

ORIGINAL: To Be Returned to Clerk of District Court for Filing.

RETURN¹

STATE OF NEW MEXICO)
)ss
COUNTY OF _____)

I, being duly sworn, on oath, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in _____ County on the _____ day of _____, _____, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

(check one box and fill in appropriate blanks)

☐ to the defendant _____ (*used when defendant accepts a copy of summons and complaint or refuses to accept the summons and complaint*)

☐ to the defendant by [mail] [courier service] as provided by Rule 1-004 NMRA (*used when service is by mail or commercial courier service*).

After attempting to serve the summons and complaint on the defendant by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

☐ to _____, a person over fifteen (15) years of age and residing at the usual place of abode of defendant _____, (*used when the defendant is not presently at place of abode*) and by mailing by first class mail to the defendant at _____ (*insert defendant's last known mailing address*) a copy of the summons and complaint.

☐ to _____, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at _____ (*insert defendant's business address*) and by mailing the summons and complaint by first class mail to the defendant at _____ (*insert defendant's last known mailing address*).

☐ to _____, an agent authorized to receive service of process for defendant _____.

☐ to _____, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of defendant _____ (*used when defendant is a minor or an incompetent person*).

☐ to _____ (*name of person*), _____, (*title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision*).

Fees: _____

Signature of person making service

Title (*if any*)

Subscribed and sworn to before me this _____ day of _____, _____²

Judge, notary or other officer
authorized to administer oaths

Official title

USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.
2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order 05-8300-01, effective March 1, 2005; by Supreme Court Order 07-8300-16, effective August 1, 2007; by Supreme Court Order No. 12-8300-026, effective for all cases filed or pending on or after January 7, 2013.]

SUMMONS	
District Court: <u>Fifth Judicial</u> <u>Lea</u> County, New Mexico Court Address: 100 N. Main 6-C Lovington, New Mexico 88260 Court Telephone No.: (575) 396-8571	Case Number: D-506-CV-2017-00419 Judge: Shoobridge, William G. W.
Plaintiff(s): Pedro Jarmillo v. Defendant(s): Scott Rawlin, Wright's Amusements and HAAS & Wilkerson Insurance Company	Defendant: Scott Rawlin Name: Scott Rawlin Address: 316 Todd, La Salle, CO, 80613

TO THE ABOVE NAMED DEFENDANT(S): Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
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4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at www.nmbar.org; 1-800-876-6657; or 1-505-797-6066.

Dated at Lovington, New Mexico, this 30th day of March, 2017.

Nelda Cuellar
CLERK OF COURT

By 

Deputy



/s/ James W. Klipstine, Jr.

Signature of Attorney for Plaintiff

Name: James W. Klipstine, Jr.

Address: 1601 N. Turner, Ste. 400, Hobbs,
New Mexico 88240

Telephone No.: (575) 393-1300

Fax No.: (575) 393-1869

Email Address: mahlaw@klipsawlaw.com

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 OF THE NEW MEXICO
RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

ORIGINAL: To Be Returned to Clerk of District Court for Filing.

RETURN¹

STATE OF NEW MEXICO)
)ss
COUNTY OF _____)

I, being duly sworn, on oath, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in _____ County on the _____ day of _____, _____, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

(check one box and fill in appropriate blanks)

☐ to the defendant _____ (*used when defendant accepts a copy of summons and complaint or refuses to accept the summons and complaint*)

☐ to the defendant by [mail] [courier service] as provided by Rule 1-004 NMRA (*used when service is by mail or commercial courier service*).

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☐ to _____, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at _____ (*insert defendant's business address*) and by mailing the summons and complaint by first class mail to the defendant at _____ (*insert defendant's last known mailing address*).

☐ to _____, an agent authorized to receive service of process for defendant _____.

☐ to _____, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of defendant _____ (*used when defendant is a minor or an incompetent person*).

☐ to _____ (*name of person*), _____, (*title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision*).

Fees: _____

Signature of person making service

Title (*if any*)

Subscribed and sworn to before me this _____ day of _____, _____²

Judge, notary or other officer
authorized to administer oaths

Official title

USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.
2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order 05-8300-01, effective March 1, 2005; by Supreme Court Order 07-8300-16, effective August 1, 2007; by Supreme Court Order No. 12-8300-026, effective for all cases filed or pending on or after January 7, 2013.]

SUMMONS	
District Court: <u>Fifth Judicial</u> <u>Lea</u> County, New Mexico Court Address: 100 N. Main 6-C Lovington, New Mexico 88260 Court Telephone No.: (575) 396-8571	Case Number: <u>D-506-CV-2017-00419</u> Judge: <u>Shoobridge, William G. W.</u>
Plaintiff(s): Pedro Jarmillo v. Defendant(s): Scott Rawlin, Wright's Amusements and HAAS & Wilkerson Insurance Company	Defendant: Wright's Amusements Name: Wright's Amusements Address: 13002 County Road 102, Black Forest, CO 80106

FILED IN MY OFFICE
 DISTRICT COURT CLERK
 4/10/2017 10:43:14 AM
 NELDA CUELLAR
 Cory Hagedoorn

TO THE ABOVE NAMED DEFENDANT(S): Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at www.nmbar.org; 1-800-876-6657; or 1-505-797-6066.

Dated at Lovington, New Mexico, this 30th day of March, 2017.

Nelda Cuellar
 CLERK OF COURT

By: 

Deputy

/s/ James W. Klipstine, Jr.

Signature of Attorney for Plaintiff

Name: James W. Klipstine, Jr.

Address: 1601 N. Turner, Ste. 400, Hobbs,
 New Mexico 88240

Telephone No.: (575) 393-1300

Fax No.: (575) 393-1869

Email Address: mahlaw@klipsawlaw.com

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 OF THE NEW MEXICO
 RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

ORIGINAL: To Be Returned to Clerk of District Court for Filing.

RETURN¹

STATE OF NEW MEXICO)
COUNTY OF Sac)ss

I, being duly sworn, on oath, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in Sac County on the 7th day of April, 2017, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

(check one box and fill in appropriate blanks)

☐ to the defendant _____ (*used when defendant accepts a copy of summons and complaint or refuses to accept the summons and complaint*)

☒ to the defendant by [mail] [courier service] as provided by Rule 1-004 NMRA (*used when service is by mail or commercial courier service*). Mail 76150440 0001 83271535

After attempting to serve the summons and complaint on the defendant by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

☐ to _____, a person over fifteen (15) years of age and residing at the usual place of abode of defendant _____, (*used when the defendant is not presently at place of abode*) and by mailing by first class mail to the defendant at _____ (*insert defendant's last known mailing address*) a copy of the summons and complaint.

☐ to _____, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at _____ (*insert defendant's business address*) and by mailing the summons and complaint by first class mail to the defendant at _____ (*insert defendant's last known mailing address*).

☐ to _____, an agent authorized to receive service of process for defendant _____.

☐ to _____, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of defendant _____ (*used when defendant is a minor or an incompetent person*).

☐ to _____ (*name of person*), _____, (*title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision*).

Fees: _____

Silvina Vidauri

Signature of person making service

Judge Assistant

Title (if any)

Subscribed and sworn to before me this 10th day of April, 2017Judge, notary or other officer
authorized to administer oaths

Official title

NotaryOfficial Seal
Cynthia V. Munoz
Notary Public
State of New MexicoMy Commission Expires: 4-14-17

USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.

2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order 05-8300-01, effective March 1, 2005; by Supreme Court Order 07-8300-16, effective August 1, 2007; by Supreme Court Order No. 12-8300-026, effective for all cases filed or pending on or after January 7, 2013.]

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wright's Amusements
13002 CR 102
Black Forest, CO 80106

COMPLETE THIS SECTION ON DELIVERY

A. Signature

David Ardrey☒ Agent☐ Addressee

B. Received by (Printed Name)

Annah Ardrey

C. Date of Delivery

4-7-17D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail®☐ Priority Mail Express™☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes2. Article Numl
(Transfer from)

7015 0640 0001 8327 1535

SUMMONS	
District Court: <u>Fifth Judicial</u> <u>Lea</u> County, New Mexico Court Address: 100 N. Main 6-C Lovington, New Mexico 88260 Court Telephone No.: (575) 396-8571	Case Number: <u>D-506-CV-2017-00419</u> Judge: <u>Shoobridge, William G. W.</u>
Plaintiff(s): Pedro Jarmillo v. Defendant(s): Scott Rawlin, Wright's Amusements and HAAS & Wilkerson Insurance Company	Defendant: HAAS & Wilkerson Insurance Company Name: HAAS & Wilkerson Insurance Company Address: 4300 Shawnee Mission Pkwy., Fairway, KS 66205

FILED IN MY OFFICE
 DISTRICT COURT CLERK
 5/1/2017 11:48:01 AM
 NELDA CUELLAR
 Maria Torres

TO THE ABOVE NAMED DEFENDANT(S): Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
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6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at www.nmbar.org; 1-800-876-6657; or 1-505-797-6066.

Dated at Lovington, New Mexico, this 30th day of March, 2017.

Nelda Cuellar
 CLERK OF COURT

By: 

Deputy

/s/ James W. Klipstine, Jr.

Signature of Attorney for Plaintiff

Name: James W. Klipstine, Jr.

Address: 1601 N. Turner, Ste. 400, Hobbs,
 New Mexico 88240

Telephone No.: (575) 393-1300

Fax No.: (575) 393-1869

Email Address: mahlaw@klipsawlaw.com

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 OF THE NEW MEXICO
 RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

ORIGINAL: To Be Returned to Clerk of District Court for Filing.

RETURN¹

STATE OF NEW MEXICO)
)ss
COUNTY OF Seca)

I, being duly sworn, on oath, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in Seca County on the 4th day of April, 2017, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

(check one box and fill in appropriate blanks)

☐ to the defendant _____ (used when defendant accepts a copy of summons and complaint or refuses to accept the summons and complaint)

☒ to the defendant by [mail] [courier service] as provided by Rule 1-004 NMRA (used when service is by mail or commercial courier service). CMR 7015 0640 001 83271511

After attempting to serve the summons and complaint on the defendant by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

☐ to _____, a person over fifteen (15) years of age and residing at the usual place of abode of defendant _____, (used when the defendant is not presently at place of abode) and by mailing by first class mail to the defendant at _____ (insert defendant's last known mailing address) a copy of the summons and complaint.

☐ to _____, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at _____ (insert defendant's business address) and by mailing the summons and complaint by first class mail to the defendant at _____ (insert defendant's last known mailing address).

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☐ to _____, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of defendant _____ (used when defendant is a minor or an incompetent person).

☐ to _____ (name of person), _____, (title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of

trustees, the State of New Mexico or any political subdivision).

Fees:

Dianne Vidauri
Signature of person making service
Legal Assistant
Title (if any)

Subscribed and sworn to before me this 1st day of May, 2017

Aimet Widman
Judge, notary or other officer
authorized to administer oaths
Notary
Official title



OFFICIAL SEAL
Aimet Widman
NOTARY PUBLIC-State of New Mexico
My Commission Expires 2-24-21

USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.
2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order 05-8300-01, effective March 1, 2005; by Supreme Court Order 07-8300-16, effective August 1, 2007; by Supreme Court Order No. 12-8300-026, effective for all cases filed or pending on or after January 7, 2013.]

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <u>Bill Cagwin</u></p>	
<p>1. Article Addressed to:</p> <p><u>HARRIS & W. Kerson Insurance Company</u> <u>4300 Shawnee Mission PKWY</u> <u>Kilway, KS 66105</u></p>		<p>B. Received by <u>BILL CAGWIN</u></p> <p>C. Date of Delivery <u>APR 04</u></p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>2. At <u>7015 0640 0001 8327 1511</u></p> <p>(11)</p>			